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BY: GRACE DILLE

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19 States Sue Biden Administration Over Fed Contractor Vaccine Mandate

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Nineteen states have sued the Biden administration over the COVID-19 vaccine mandate for Federal government contractors, according to separate lawsuits filed late last week.

On October 28, the state of Florida sued the Biden administration over the mandate, which Republican Gov. Ron DeSantis said "is unlawfully jeopardizing thousands of jobs."

Then on October 29, the states of Alaska, Arkansas, Iowa, Missouri, Montana, Nebraska, New Hampshire, North Dakota, South Dakota and Wyoming filed a lawsuit that called the mandate "unconstitutional, unlawful, and unwise." The states of Georgia, Alabama, Idaho, Kansas, South Carolina, Utah, and West Virginia also filed a similar lawsuit on Friday. The state of Texas also filed its own lawsuit on Friday.

"If the Federal government attempts to unconstitutionally exert its will and force Federal contractors to mandate vaccinations, the workforce and businesses could be decimated, further exacerbating the supply chain and workforce crises," Missouri Attorney General Eric Schmitt said in a statement on Friday. "The Federal government should not be mandating vaccinations, and that's why we filed suit today – to halt this illegal, unconstitutional action."

The White House's Safer Federal Workforce Task Force guidance for Federal contractors states that "all covered contractor employees" must be fully vaccinated by December 8, unless the employee is legally entitled to an accommodation.

The task force's guidance for contractors stems from President Biden's executive order issued in September, which gave Federal employees until November 22 to be fully vaccinated – with limited exceptions – against COVID-19.

However, the task force released new guidance today, which gives Federal contractors more flexibility to enforce the vaccine mandate.

"A covered contractor should determine the appropriate means of enforcement with respect to its employee at a covered contractor workplace who refuses to be vaccinated and has not been provided, or does not have a pending request for, an accommodation," the new guidance says.

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The guidance also notes that "covered contractors are expected to comply with all requirements set forth in their contract," and an agency contracting officer may terminate a contract if the contractor refuses to comply with "COVID-19 workplace safety protocols."

The guidance makes clear that "these requirements are promulgated pursuant to Federal law and supersede any contrary state or local law or ordinance."

Despite the states' attempts to stop the mandate, a September Gallup poll found that roughly 60 percent of respondents support President Biden's vaccine mandate for all Federal government employees.

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Grace Dille is a MeriTalk Staff Reporter covering the intersection of government and

technology.

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